IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

Bail Appl..No. 5633 of 2007()

CMP.5132/2007 of J.M.F.C.-II, KOLLAM
CRIME NO.713/07 OF KOLLAM EAST POLICE STATION

.....

: PETITIONER/ACCUSED NO.6

LINGA DURAI, S/O PACHY MUTHU,
DOOR NO.338, KRISHNANKOVIL STREET NO.II,
ACHEN-PUTHOOR NADUVIL, SCHENCOTTA TALUK,
THIRUNELVELI DIST.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5633 of 2007

Dated this the 18th day of September, 2007

ORDER

The petitioner's application for regular bail was earlier dismissed by another Bench of this Court as per order dated 31.08.07 in B.A.No.5301 of 2007. There was a specific observation in that order that the petitioner can move this Court for bail again only after a period of one month. This petition was filed on 12.09.2007 without waiting for expiry of the period. The learned counsel for the petitioner submits that the petitioner has made a clean breast of all the details and had revealed to the Court the earlier order that has been passed. According to him, this application was filed only because of some other co-accused similarly placed were granted bail by this Court in B.A.No.5436 of 2007.

2. Steps have been taken already to cancel the bail granted to such co-accused in B.A.No.5436 of 2007. The petitioner's application is premature. This cannot be entertained at this stage. This application is accordingly dismissed. However, it is observed that the petitioner shall be at liberty to apply for bail again at a later stage in compliance with the directions issued in B.A.No.5301 of 2007.

(R.BASANT, JUDGE)

rtr/-